## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION	) ) )	MDL NO. 1456 Civil Action No. 01-12257-PBS Subcategory No. 03-10643-PBS
THIS DOCUMENT RELATES TO:	)	Judge Patti B. Saris
The City of New York, et al. v. Abbott Laboratories, Inc., et al.	)	

## NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICEOF PLAINTIFFS' CLAIMS AGAINST DEFENDANT NOVARTIS PHARMACEUTICALS CORPORATION

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiffs, the Consolidated New York Counties, and defendant Novartis Pharmaceuticals Corporation (hereinafter "Novartis"), by and through their respective attorneys, pursuant to Fed. R. Civ. P. 41, that all claims in this action against Novartis are dismissed with prejudice and without costs to any party.

Dated: June 23, 2011

Respectfully submitted,

By: Joanne M. Cicala

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On Behalf of Plaintiffs the Consolidated New York Counties

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By: \_\_\_\_

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On Behalf of Novartis Pharmaceuticals Corporation

## CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2011, I caused a true and correct copy of the foregoing, Notice of Voluntary Dismissal With Prejudice of Plaintiffs' Claims Against Defendant Novartis Pharmaceuticals Corporation, to be served on counsel of record for each party through the Court's Electronic Case Filing System and via LexisNexis File & Serve.

/s/ James Carroll
KIRBY McINERNEY LLP